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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT CHARLES CRIST,

Defendant.

CASE NO. 2:22-CR-229-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: November 16, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 16, 2023.
2. By this stipulation, defendant now moves to continue the status conference until December 14, 2023, at 9:00 a.m., and to exclude time between November 16, 2023, and December 14, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Current counsel for defendant began representing him on July 24, 2023.
 - b) On September 1, 2023, the government produced approximately 330 pages of additional discovery, consisting primarily of lab reports.
 - c) Counsel for defendant desires additional time to review the additional discovery,

1 consult with her client, and otherwise prepare for trial. Specifically, the parties need additional
2 time to research and calculate the amount of DMT involved in this case, because that calculation
3 could significantly impact the guideline range in this case, and, in turn, affect plea discussions.
4 The parties plan to reach out to the DEA lab to aid in this calculation, and will need additional
5 time to confer with the lab and receive a supplemental analysis.

6 d) Counsel for defendant believes that failure to grant the above-requested
7 continuance would deny him/her the reasonable time necessary for effective preparation, taking
8 into account the exercise of due diligence.

9 e) The government does not object to the continuance.

10 f) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of November 16, 2023 to December
15 14, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
16 Code T4] because it results from a continuance granted by the Court at defendant's request on
17 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
18 best interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
21 must commence.

22 IT IS SO STIPULATED.

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24 Dated: November 9, 2023

PHILLIP A. TALBERT
United States Attorney

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27 /s/ ROSS PEARSON
ROSS PEARSON
Assistant United States Attorney
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1 Dated: November 9, 2023

/s/ LINDA HARTER
LINDA HARTER
Counsel for Defendant
ROBERT CHARLES CRIST
(Authorized by email on
November 9, 2023)

7 **ORDER**

8 IT IS SO FOUND AND ORDERED this 14th day of November, 2023.

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10 /s/ Daniel J. Calabretta
11 THE HONORABLE DANIEL J. CALABRETTA
12 UNITED STATES DISTRICT JUDGE
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